

**MARR HIPP JONES & WANG**  
A LIMITED LIABILITY LAW PARTNERSHIP

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Attorney for Defendants  
SMF SYSTEMS CORPORATION, TOM  
CAFFREY AND RUBY CAFFREY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

JOHN A. MOFFETT,	)	CV NO. 03-00130 MLR-BMK
	)	
Plaintiff,	)	<b>NOTICE OF WITHDRAWAL</b>
	)	DEFENDANTS SMF SYSTEMS
vs.	)	CORPORATION, TOM CAFFREY,
	)	AND RUBY CAFFREY'S MOTION
SMF SYSTEMS CORPORATION, A	)	FOR ATTORNEYS' FEES AND
MARYLAND CORPORATION; TOM	)	COSTS FILED DECEMBER 16,
CAFFREY; RUBY CAFFREY; DOE	)	2005; CERTIFICATE OF SERVICE
CORPORATIONS 1-20; DOE	)	
CORPORATIONS 1-20; DOE	)	
ENTITIES 1-20; JOHN DOES 1-20;	)	JUDGE: The Honorable
JANE DOES 1-20; GOVERNMENTAL	)	Manuel L. Real
AGENCIES 1-20,	)	
	)	TRIAL: September 19, 2005
Defendants.	)	
_____	)	

**NOTICE OF WITHDRAWAL OF DEFENDANTS SMF SYSTEMS CORPORATION, TOM CAFFREY, AND RUBY CAFFREY'S MOTION FOR ATTORNEYS' FEES AND COSTS FILED DECEMBER 16, 2005**

TO: BARBARA A. PETRUS, ESQ.  
LINDALEE K. FARM, ESQ.  
DONNA H. KALAMA, ESQ.  
ANNE T. HORIUCHI BELL, ESQ.  
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Attorneys for Plaintiff  
JOHN A. MOFFETT

Defendants SMF Systems Corporation, Tom Caffrey and Ruby

Caffrey hereby withdraw its Motion for Attorneys' Fee and Costs filed on  
December 16, 2005.

DATED: Honolulu, Hawaii, August 17, 2006

/s/ Lynne T. T. Toyofuku  
LYNNE T. T. TOYOFUKU

Attorney for Defendants  
SMF SYSTEMS CORPORATION, TOM  
CAFFREY AND RUBY CAFFREY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

JOHN A. MOFFETT,	)	CV NO. 03-00130 MLR-BMK
	)	
Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
vs.	)	
	)	
SMF SYSTEMS CORPORATION, A	)	
MARYLAND CORPORATION; TOM	)	
CAFFREY; RUBY CAFFREY; DOE	)	
CORPORATIONS 1-20; DOE	)	
PARTNERSHIPS 1-20; DOE ENTITIES	)	
1-20; JOHN DOES 1-20; JANE DOES 1-	)	
20; GOVERNMENTAL AGENCIES 1-20,	)	
	)	
Defendants.	)	
_____	)	

**CERTIFICATE OF SERVICE**

I hereby certify that, on the date and by the method of service  
noted below, a true and correct copy of the foregoing was served on the following  
individuals at their last known address:

Served Electronically through CM/ECF:

BARBARA A. PETRUS, ESQ.	<a href="mailto:bpetrus@goodsill.com">bpetrus@goodsill.com</a>	August 17, 2006
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Attorneys for Plaintiff  
JOHN A. MOFFETT

DATED: Honolulu, Hawaii, August 17, 2006

/s/ Lynne T. T. Toyofuku  
LYNNE T. T. TOYOFUKU

Attorney for Defendants  
SMF SYSTEMS CORPORATION,  
TOM CAFFREY AND RUBY CAFFREY